

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
June 2, 2008

D052169 In re Claudia E. et al., Juveniles

The order denying the motion for declaratory relief is reversed, and the matter is remanded to the juvenile court for further proceedings in accordance with the views expressed in this opinion. Huffman, Acting P.J.; We Concur: Nares, J., Irion, J. (CERTIFIED FOR PUBLICATION)

D051565 People v. Anderson

The judgment is affirmed. Benke, Acting P.J.; We Concur: O'Rourke, J., Irion, J.

D051105 People v. Chaidez

The judgment is affirmed. McConnell, P.J.; We Concur: Benke, J., Aaron, J.

D051629 In re Armstrong on Habeas Corpus

The judgment of the trial court is affirmed, and the Governor's decision reversing the 2006 BPT decision finding Armstrong suitable for parole and setting a parole date is vacated. The stay issued by this court on October 31, 2007, is hereby vacated. As in Elkins, supra, 144 Cal.App.4th at page 503, the BPT is ordered to release Armstrong forthwith pursuant to the conditions set forth in the 2006 decision by the BPT. Because Armstrong's release would have been final well over a year ago, and in the interests of justice, this opinion shall be final as to this court immediately. (Cal. Rules of Court, rule 8.264(b)(3).) McDonald, Acting P.J.; I Concur: McIntyre, J., I dissent: O'Rourke, J. (opinion)

D051751 People v. Hills

The judgment is affirmed. Irion, J.; We Concur: Benke, Acting P.J., McDonald, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
June 3, 2008

D049244 People v. Groce

Order modifying opinion and denying petition for rehearing [no change in judgment].

D052292 In re Alex M., a Juvenile

The appeal is dismissed. McDonald, J.; We Concur: Nares, Acting P.J., Aaron, J.

D052436 People v. Bass

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.316.)

D052285 People v. Flower

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.316.)

D051008 Yvonne A. v. David L.

The requests for publication by the Child Abuse Forensic Institute, National Child Protection Training Center, The Leadership Council on Child Abuse & Interpersonal Violence, California Protective Parents Association, Yvonne Alec, and Child Abuse Solutions, Inc., all filed May 28, 2008, are DENIED.

D051475 People v. Taylor

Judgment affirmed. Benke, J.; We Concur: McConnell, P.J., O'Rourke, J.

D050533 People v. Alfaro

The petition for rehearing is granted.

D053064 People v. Rosas

Upon filing a request to dismiss, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.316.)

Court convened at 1:30 p.m.

Present: The Honorable Judith Haller, Acting Presiding Justice, and The Honorable Associate Justices Terry O'Rourke and Joan Irion
Clerk: D. Moore

D052114 In re Ricky L., a Juvenile

Cause called on merits. Leslie A. Barry, Esq. argued for appellant. Katherine Bird, Deputy County Counsel argued for respondent. Neil Trop, Esq. argued for the minor. Ms. Barry replied. Cause submitted.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
June 3, 2008 (Continued)

D050808 Sempra Energy Resources v. California Department of Water Resources

Cause called on merits. Michael Hennigan, Esq. argued for appellant. David A. Zonana, Deputy Attorney General argued for respondent. Mr. Hennigan replied. Cause submitted.

Court recessed at 2:41 p.m. until Monday, June 9, 2008 at 9:00 a.m.

D052624 In re Muhammad on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
June 4, 2008

D052762 Sillas v. Robles

The appeal filed April 1, 2008, is dismissed because appellant did not timely deposit costs for preparing the record on appeal.

D051379 Leiseth v. Waters

Upon written request filed by appellant, the appeal is DISMISSED and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.244(c)(2).)

D051602 People v. Flores

The judgment is affirmed. McDonald, Acting P.J.; We Concur: McIntyre, J., O'Rourke, J.

D051181 People v. Mingo

The judgment is affirmed. Huffman, Acting P.J.; We Concur: Haller, J., McDonald, J.

D049751 People v. Goff

The judgment is affirmed. Nares, J.; We Concur: McConnell, P.J., Aaron, J.

D050350 People v. Nelson

The judgment is affirmed. Huffman, J.; We Concur: Benke, Acting P.J., O'Rourke, J.

D053075 Diablo Funding Group, Inc. v. Superior Court of San Diego County/Kaplan

The petition is denied.

D049857 People v. Foster

The judgment is affirmed. McConnell, P.J.; We Concur: Aaron, J., Irion, J.

D050434 People v. Turner

The judgment is affirmed. Aaron, J.; We Concur: McConnell, P.J., Irion, J.

D052562 City of Oceanside v. The Superior Court of San Diego County/Ashley Rock et al.

At the request of petitioner, the petition for writ of mandate is dismissed.

D048456 People v. Varghese

The petition for rehearing is denied.

D049655 People v. Graham

The petition for rehearing is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
June 4, 2008 (Continued)

D053051 Dycus v. Melmet Default Services, Inc.

The petition is denied.

D052877 Imagitas, Inc. v. Shiff et al.

Because appellant Mark Hagen did not timely pay the filing fee, the appeal filed April 17, 2008, by Mark Hagen is DISMISSED (Cal. Rules of Court, rule 8.100(c)(3)). The appeal filed April 7, 2008, by Jonathan Shiff will proceed on rule time from the date of this order.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
June 5, 2008

**D052544 Maria R. v. The Superior Court of San Diego County/San Diego County
Health and Human Services Agency**

The petition is denied. The request for stay is denied. McConnell, P.J.; We Concur: Huffman, J., O'Rourke, J.

D052601 In re Kayla H., a Juvenile

The appeal is dismissed. Haller, J.; We Concur: McConnell, P.J., O'Rourke, J.

D050975 Shufelt III v. Hall et al.

The judgment is affirmed. CERTIFIED FOR PARTIAL PUBLICATION. McConnell, P.J.; We Concur: Haller, J., O'Rourke, J.

D050166 In re Marriage of Diez de Bonilla and Alvarez

Affirmed in part, reversed in part. Parties to bear their own costs on appeal. Irion, J.; We Concur: McIntyre, Acting P.J., O'Rourke, J.

D052297 In re Nicholas P., a Juvenile

The judgment is affirmed. Huffman, Acting P.J.; We Concur: Nares, J., Aaron, J.

D050913 People v. Salazar McNeiece

The judgment is affirmed. McDonald, J.; We Concur: Nares, Acting P.J., Irion, J.

D052801 In re Aurelia D. et al., Juveniles

No timely petition for writ relief has been filed. The notice of intent is deemed to be abandoned. The case is DISMISSED.

D052849 In re Eddie W., et al., Juveniles

No timely petition for writ relief has been filed by Joshua D. The notice of intent as to Joshua D. is deemed to be abandoned. The case is DISMISSED.

D050426 People v. Munoz

The court, on its own motion, grants rehearing in the above matter in light of the Supreme Court decision in *People v. Gonzalez*, 2008 Cal. Lexis 6664, filed June 2, 2008. No further briefing is required. The case is deemed submitted as of this date.

D050537 People v. Ward

The petition for rehearing is denied.

D053026 Woodall v. Superior Court of San Diego County/Kolender

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
June 6, 2008

D052495 In re Gabrielle C., a Juvenile

The appeal is dismissed. Nares, Acting P.J.; We Concur: O'Rourke, J., Irion, J.

D051227 People v. Bradford

The judgment of the trial court is affirmed. Aaron, J.; We Concur: Nares, Acting P.J., Haller, J.

D051487 Conservatorship of Rojas

The order is affirmed. Krum is awarded costs on appeal. McIntyre, J.; We Concur: Nares, Acting P.J., Haller, J.

D053129 Comerchero et al. v. Superior Court of San Diego County/International Medical Research

The petition is denied.

D052445 Conservatorship of Nate T.

Appellant's "Motion to Dismiss the Appeal on Grounds the Appeal is Moot" filed on June 6, 2008, is GRANTED. The appeal is DISMISSED and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.316.)